

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TRAVIS JUSTIN CUELLAR,
Plaintiff,
v.
MADERA COUNTY DEPT. OF
CORRECTIONS, *et al.*,
Defendants.

Case No. 1:20-cv-00388-JDP (PC)

**ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS**

ECF No. 2

**ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY THE
MADERA COUNTY DEPARTMENT
OF CORRECTIONS**

Plaintiff is a county prisoner proceeding without counsel pursuant in this civil rights action brought under to 42 U.S.C. § 1983. Plaintiff has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and, accordingly, the request to proceed *in forma pauperis* will be granted.

Plaintiff is still obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The Madera County Department of Corrections is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 In accordance with the above, it is hereby ordered that:

2 1. Plaintiff's application to proceed *in forma pauperis* is granted;

3 2. The Director of the Madera County Department of Corrections or his designee shall
4 collect payments from plaintiff's prison trust account in an amount equal to twenty per cent
5 (20%) of the preceding month's income credited to the prisoner's trust account and shall forward
6 those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in
7 accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded
8 to the Clerk of the Court. The payments shall be clearly identified by the name and number
9 assigned to this action.

10 3. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's
11 *in forma pauperis* application on the Madera County Department of Corrections, via United
12 States Postal Service.

13 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
14 Department, U.S. District Court, Eastern District of California, Sacramento Division.

15 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a
16 certified copy of his prison trust account statement for the six-month period immediately
17 preceding the filing of the complaint, if plaintiff has not already done so.

18 IT IS SO ORDERED.

19
20 Dated: March 18, 2020


UNITED STATES MAGISTRATE JUDGE

21
22 No. 205.

23
24
25
26
27
28